

Exhibit D

Transcript of Public Comment Meeting
(Aug. 22, 2023, 10:00 a.m. meeting held at Tougaloo College)

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9 Transcript of Audio File:

10 PUBLIC COMMENTS

11 STIPULATED ORDER FOR THE CITY OF

12 JACKSON, MISSISSIPPI

13 SEWER SYSTEM

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15 TUESDAY, AUGUST 22, 2023

16 10:00 A.M.

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18 Audio Runtime: 56 minutes 04 seconds

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1 Present:

2 Ms. Carol Kempker

Ms. Mitzi Paige

3 Mr. Karl Fingerhood

Mr. Anthony Moore

4 Mr. Martin McGee

Mr. Michael Maris

5 Mr. Johnny Leeson

Mr. Warren Goddard

6 Mr. Dimitri Asimov

Mr. Blake Sandals

7 Mr. John Morgan

Mr. Sandy Carter

8 Ms. LaChassity Jackson

Ms. Sheila Thomas

9 Ms. Gwen Smith

Mr. Larry Travis

10 Mr. James Jones

Mr. Lauren Goddard

11 Mr. Anthony Moore

Ms. Monickey Marie McDuffy

12 Ms. Loretta Sutton, American Sign Language
Interpreter

13 Ms. Veronica Turner, American Sign Language
Interpreter

14 Ms. Soni Asali, Spanish Interpreter

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1 (Beginning of audio recording.)

2 MR. MOORE: Hello everyone. My name is
3 Anthony Moore. I'm [REDACTED] years old. I'm a lifelong
4 resident of Jackson, multi-generational resident of
5 Jackson. And I would first like to start by saying,
6 thank you-all for being here for this meeting.

7 My first issue of concern, number one, is
8 the accountability that Jacksonians held prior to this
9 order and the -- the previous order concerning the
10 water. I think it is a mistake for Jacksonians to --
11 to just sit quietly while our abilities to affect who
12 controls our utilities in our city, in our
13 municipality, is deconstructing right before our eyes.

14 I don't think that we recognize the impact
15 that this will have long term. I'm concerned about the
16 ongoing operations post this consent decree -- this
17 order. I think there is a very clear -- there's a very
18 clear deconstruction of the workforce here in Jackson.
19 We have to be able to maintain our own water posts this
20 order. We have to be able to maintain our own sewer
21 lines. That's the first issue that I have.

22 Secondly, I think there's been a failure on
23 the federal government's part, the state's -- the state
24 government, MDEQ, EPA, I am from a middle class, legacy
25 Black community. It was founded as a Black American

1 community. And we have been thoroughly oppressed and
2 neglected since its inception. It's not a mistake.
3 It's not something that can be questioned. It's the
4 truth.

5 And I -- I have an issue with accepting that
6 we're going to now not have any accountability to my
7 neighborhood through our home for however long of the
8 period, number one. And number two, I'm not certain
9 that my neighborhood and communities like mine are
10 going to be prioritized throughout this process.
11 Jackson is a medium-sized city, and we have a lot of
12 niche communities that are often overlooked because
13 they don't have the affluence, they don't have the
14 wealth that will allow them to come into spaces like
15 this and articulate their needs. And most often, they
16 don't have an advocate on the part of the government to
17 be concerned for their needs.

18 The city has put a bypass in my neighborhood
19 that pumps sewage from my neighborhood into a Pearl
20 River tributary town creek right beside of Hawkins
21 Field Airport. I live there. We smell the sewage.
22 We've been breathing it in for several years. We've
23 called the EPA. We've called MDEQ, and we don't think
24 this response is effective or efficient enough.

25 We don't believe that giving Jackson a slap

1 on the wrist is going to allow them to learn from this
2 mistake. They have not been held accountable. And
3 taking their responsibility of maintaining this from
4 them, does not correct that problem. We want to see
5 that our city will have the capacity to provide us good
6 sources and good water utilities. I yield my time.
7 Thank you.

8 UNIDENTIFIED SPEAKER: Thank you. Yes, sir.

9 MR. MCGEE: Also, pretty much a lifelong
10 resident of Jackson, born and raised. Been gone for a
11 little while but have been back for the last ■ years.

12 UNIDENTIFIED SPEAKER: And what's your name?

13 MR. MCGEE: My name is Martin McGee. I -- I
14 want to speak to the support for Ted Henifin to have
15 consent decree. In the -- in the few months that he
16 has had control over the water system, there has been
17 dramatic improvement in the water system. That's not
18 his area of expertise. As you said, his -- his
19 expertise is in sewer systems. His ability to affect
20 the water -- the sewer system, I think would be a great
21 opportunity for the city of Jackson to get it under
22 control.

23 I do have a concern about the long-term
24 operation of the system. You know, this has not been
25 here or gotten here quickly. It's been over a -- a

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 period of decades. So it's not the current
2 administration's fault. It's -- it's a combination of
3 years of neglect.

4 So, I want to make sure that going forward,
5 there are things put in place that will, again,
6 maintain accountability to the city if they take over
7 the water and sewer system, again. That it is
8 maintained and operated in a -- in a means that is
9 sustainable for the future. Thank you.

10 UNIDENTIFIED SPEAKER: Thank you.

11 MR. MARIS: My name is Michael Maris. Thank
12 you for this opportunity. Two comments. And I agree
13 with both of the other speakers. First, the consent or
14 information that I saw, talked a lot about the
15 solutions. But I wasn't real clear on what got us to
16 this. So hopefully there'll be some issues in terms
17 of, was it resources or management that got us to where
18 we are? Because if we don't solve it going forward,
19 then we perpetuate the system -- situation that brought
20 us to where we are. So tactful, or whatever's
21 politically correct, we also need to be specific about
22 how we got to where we are.

23 Secondly, with both of the projects, in the
24 sewer project as well as in the water project, while
25 those are important projects. But I noticed what's

**STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments**

1 significantly missing was nothing that addressed how do
2 we also move our workforce forward? Because unless we
3 develop a workforce that can not only repair problems,
4 but monitor and, in a sense, be proactive, ongoing.
5 We're not going to get to the point where we'll have an
6 ongoing functioning system.

7 My dad told me a long time ago, he says, you
8 know, for the black version, you got to do a lot with a
9 little bit. We've been doing too much with almost
10 nothing. But at the same time, how do we move forward?
11 And how do we have the people we have learn how to do
12 these things?

13 And I don't see any of that in any of the
14 documentation, which means that there's not a path
15 forward for that ultimate re-control of our local
16 system, by the local people, because it's not part of
17 the plan. Those infrastructure products -- projects
18 are important, but I saw nothing that addressed the
19 people improvement part of it. And if we don't do
20 that, we're just going to be perpetuating the
21 situation, or we will never have control of our water
22 system again.

23 UNIDENTIFIED SPEAKER: Thank you, sir. Yes,
24 sir?

25 MR. LEESON: I'm going to tell you -- oh,

1 okay. Good morning to you. My name is Johnny Leeson
2 (phonetic). I'm a transplant. I've been here in
3 Jackson since ' [REDACTED] Came and graduated. And I
4 have literally seen our city deteriorate over a number
5 of years. Recently, when Mr. Henifin came in to take
6 over the water, and now hopefully the sewer, that was
7 the only bright spot or the only positive thing that I
8 saw happening in Jackson. Either things remained the
9 same, or they got worse.

10 So I'm all for short term fixes, short term
11 -- the main thing now is to correct the problem in as
12 much as he can. Correct the problem in as much as he
13 can right now. We will worry about the long-term fixes
14 down the road. I believe that -- that -- that if you
15 bite off more than you can chew, sometimes you get
16 choked on it. But if you bite off enough, just a
17 nibble, nibble, nibble, nibble, next thing you know,
18 you've been successful at what you started to do.

19 I just want to really, in conclusion, say
20 that I hope -- I thank Judge Wingate for the insight to
21 see. The fact that Ted Henifin came in doing what he
22 is now doing was needed. Some people called it, it was
23 a race thing. It had nothing to do with race. It has
24 something to do with fixing and correcting the problem.

25 And Ted Henifin was the right person for the

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 right job at the right time. So I just want to sing
2 his praises for doing that and -- and -- and having the
3 boldness of doing that. And George Wingate for having
4 the boldness to stand up and appoint this man and say,
5 hey, look Jackson is here in your own volition as far
6 as water and as far as sewer is concerned.

7 UNIDENTIFIED SPEAKER: Thank you, Mr.
8 Leeson. Sir?

9 And -- and as he's coming, I do want to
10 remind you that if there are any Spanish speakers, we
11 do have the interpreter here. She's ready to work.
12 Just let somebody with a name tag know that you need
13 the interpretation. She'll be happy to stand up and
14 transcribe the -- the comments in Spanish.

15 And is there anybody that wants to speak
16 from up at the top? Can you wave your hand, and she'll
17 bring the microphone to you? Okay. All right. Sir,
18 to my left.

19 MR. GODDARD: Warren Goddard (phonetic), as
20 a longtime policy analyst, prompted by the previous
21 comment. It would be very helpful to have a report on
22 who is subcontracting, who's working for it by race and
23 by location. So that we have the information we need
24 to develop the subcontractors within Jackson and
25 employees within Jackson itself to handle this long

1 term. To be a sustainable part of the solution, not
2 just for a few years, but long term.

3 UNIDENTIFIED SPEAKER: In the back, sir?

4 MR. ASIMOV: Yeah. My name is Dimitri
5 Asimov. I'm a -- actually just here at -- in the
6 capacity as -- as a citizen. I've been a transplant
7 for about ■ years here. And kind of to piggyback on
8 what the gentleman in the -- in the blue suit said.
9 I'm kind of concerned about the short-term and long-
10 term conversations that we're having regarding our
11 systems and getting them into, you know, functioning
12 states.

13 The one topic that I -- I don't see talked
14 about, or have not seen talked about or addressed yet,
15 is how storm water is impacting our sewer systems and
16 exacerbating the decay of our already aging
17 infrastructure.

18 UNIDENTIFIED SPEAKER: Okay.

19 MR. SANDALS: Good morning. I'm Blake
20 Sandals (phonetic). I'm actually the Tougaloo College
21 SGA President, but I'm also a resident of Jackson. And
22 so my -- my issue is when I read over the information,
23 the initial presentation mentioned the -- the consent
24 order or the consent decree from 2013. And now we're
25 in 2023. And part of the issue was that in 2013, the

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 job was not being completed efficiently. And so in a
2 10-year span, we're just now addressing the fact that
3 it was not being done efficiently? When in 2013, when
4 the initial decree was presented, it wasn't being
5 performed efficiently. Why did it take 10 years for us
6 to continue to address what was already not being done
7 efficiently?

8 And so being that it did take 10 years for
9 us to even begin to address it again, how can we really
10 have faith in what's being presented now. When
11 initially when it was addressed and now we're
12 addressing it again, it took a 10-year span. And we're
13 still fumbling around, trying to see exactly how we're
14 going to address the issue. So where's the
15 accountability piece? We're not understanding exactly
16 who was responsible for it, and who do we hold
17 accountable now, and who do we ensure is continuously
18 accountable?

19 And then we also want to make sure that, as
20 -- as my brother mentioned previously, that we are
21 working on the infrastructure of Jackson, and we're not
22 taking control away from the people of Jackson. We
23 want to make sure that we have maintained that because
24 it has been systematically dismantled. And we see it
25 in a lot of other ways. So we don't want to continue

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 to take pieces away from Jackson until there is no
2 longer a Jackson left. So I am all for reaching a
3 reasonable solution and conclusion, but I want to make
4 sure that it is Jackson first.

5 UNIDENTIFIED SPEAKER: Thank you. Yes,
6 ma'am. She has the mic.

7 UNIDENTIFIED SPEAKER: Good morning. I'm a
8 long-term resident of Jackson. I am also a school
9 student. I have some real concerns because I have
10 personal knowledge of the research that I put in to
11 doing a lot at Jackson State and Tougaloo. And it's
12 very alarming because in 2008, we had our first
13 situation where we were distributing water to
14 residents. And that was 2008. Okay. At the Metro
15 Center. And then in 2018, we're dealing with sewage.
16 And that was on a 10-year span. In July of 2010, I'm
17 doing the research. I published this in a journal.
18 These articles have been published by my professors at
19 Jackson State and myself, about the water, about the
20 concerns with the water that we tested at Jackson
21 State.

22 And so when the EPA first came here with
23 Eric Holder was April of 2012. I had delivered my
24 daughter at UNC, and I was trying to get to that
25 meeting at the JSE Center because they were here. But

1 I felt like if they didn't know what I knew about the
2 water and some other people that should have been at
3 the table for that meeting, maybe we wouldn't be in the
4 situation that we're in now.

5 To address the water, and then we have the
6 sewer. So the water was already tainted way before
7 2008. I know I moved back here from the coast in [REDACTED].
8 [REDACTED] So they were
9 having some issues with the water because I didn't get
10 over there for a job, trying to secure one at the water
11 treatment facility, both locations. I didn't get
12 hired. I didn't get an interview. I didn't get
13 anything. Okay. I'll leave it alone.

14 Here we are now, after COVID, and I'm
15 living, too, here. So when COVID were -- people were
16 shuttered in their homes and not able to go anywhere,
17 sheltering in place. Well, we have an issue with water
18 because we didn't have any water at our residence. So
19 we were forced to take shelter in a hotel for those
20 months when everybody was sheltering in their homes
21 because our water was not even flowing. So for months
22 we were there and maintaining.

23 And so here we are in 2023, and we're
24 dealing with the sewage problem. So now, I have a
25 bill, but I still can't get no help with it now that I

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 have one. And I'm just like, okay, is this a phantom
2 situation here? I mean, what is really going on? I
3 mean, you put the information out there for people, but
4 when you try to access it -- it's not accessible.

5 So I'm wondering, you know, from 2008 with
6 the water to 2013 with the sewer. And I remember when
7 I was living out on Raymond Road, I'm looking at all
8 the addresses that you-all have listed on this book,
9 appendix. I'm noting every address that I've lived at
10 in the time span since I did my research, and we were
11 warning them, I know, in 2018, about the sewage problem
12 when I was out on Raymond Road.

13 UNIDENTIFIED SPEAKER: So your time is up.
14 Did you want to give your name?

15 UNIDENTIFIED SPEAKER: Sure.

16 UNIDENTIFIED SPEAKER: Okay. Thank you.
17 And if there's time, if you have something -- if
18 anybody has anything they want to say, they can come
19 back up. I hate to cut people off.

20 DR. LENARD: Thank you so much. My name is
21 Dr. Sean Lenard (phonetic), and I have raw sewage
22 coming up in my driveway. I live probably less than a
23 mile away from here. But I guess I've been sitting and
24 gathering my thoughts and trying to figure out, how did
25 we get here? Really, like, seriously. Where are we?

1 This literally has become a Third World Country in the
2 city of Jackson. I'm sorry. I just that's -- how I
3 feel.

4 You know, I'm -- I'm curious to know because
5 I'm pretty sure there's been earmarked money that went
6 for these projects. I -- I'm pretty sure. If we're
7 going to do accountability, let's go back and see where
8 the money went for the projects that didn't get done to
9 fix the infrastructure. Then when we figure that out,
10 how about trying to partner with the governor, the
11 city, and our local officials to say, okay, why is the
12 money not getting to every area of Jackson,
13 Mississippi? Why is it stopping at Fine? Why is it
14 stopping at Bella Haven? Why is it not reaching to the
15 Black community?

16 I -- I seriously have a problem with this.
17 You know, I -- my tax monies -- they -- they -- they
18 govern my tax monies, too. You know, the average tax
19 property in [REDACTED] is \$2,500, and I can't even get
20 my trash taken out. If we're arguing about who's going
21 to take the trash. Now, that's not your issue. We got
22 enough issues. I get it.

23 But I just want you-all to really consider
24 what you're doing. Because I look at Flint, Michigan.
25 I don't want to be in Flint, Michigan, but I feel like

**STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments**

1 we're already there. I mean, so I'm -- that's just my
2 little bit, and I know you guys can't respond back, but
3 I just wanted to share.

4 UNIDENTIFIED SPEAKER: Thank you for
5 sharing, Dr. Lenard. Did someone else have comments?
6 Okay. We will come back, but I think I see somebody
7 else up here that raised their hand that wanted a mic
8 brought to them? Nobody up here?

9 Okay. Well to my left. Sir, come on down.

10 MR. MORGAN: Now?

11 UNIDENTIFIED SPEAKER: Yes.

12 MR. MORGAN: My name's John Morgan. I'm a
13 realtor, property managed company over 500 units in
14 Jackson. Resident almost all my life in Jackson. I
15 can piggyback on all the comments, but what I wanted to
16 piggyback most is the storm water drain off the
17 gentleman mentioned earlier. That is one of the
18 easiest things we can fix. The ditches are not being
19 cleaned. The culverts are not being cleaned. The city
20 used to do this. The county used to do this for years.
21 Nobody is cleaning up the ditches.

22 When it rains, they fill up. It flows into
23 the street. It flows into the sewer. Eventually, it
24 gets into the sewer. That puts a -- a bigger tax on
25 your sewer system. That is the easiest thing we can

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 fix. It will take some money. There's no expertise.
2 We just need to clean the ditches, and that will give
3 us some relief right now.

4 I think anybody will agree, that's a big
5 problem. We have houses flooding, flash flooding. All
6 this water goes into the sewer system when it -- it
7 can't drain off. I can take you to numerous culverts
8 that have been full for years where the water cannot,
9 and the street fills up with water, goes into the
10 manhole, which is the sewer system.

11 I would also like to mention, if there is a
12 compensation problem for people who have been damaged
13 from sewer lines not being fixed, they can't sell their
14 houses, they can't collect the rent, they sit there for
15 months and months being vandalized. I've not seen
16 anything of any kind of a compensation program or
17 action to take on that, other than a private attorney,
18 which we've also are seeking legal action through
19 private attorneys. But I'd like to see some kind of
20 comments on if there is an avenue to seek restitution
21 if you've been damaged by this system. Thank you.

22 UNIDENTIFIED SPEAKER: Thank you.

23 MR. CARTER: Hello. My name's Sandy Carter.
24 I spoke last night, and I wanted to thank you again.
25 But last night, we were all on the same page that we

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 thought Ted had done a great job. And I didn't give
2 you my reasons why I supported Ted. But today, I hear
3 that there's some, maybe some problems with Ted and --
4 and -- and the things that I heard today that really
5 made me think that I need to speak again. I completely
6 agree that we need a long term plan. We need to know
7 what's going to happen after Ted leaves, after the
8 four-year period is up. We need to know what's going
9 to happen because we don't want it to get back to where
10 it is.

11 We've -- we have a unique opportunity right
12 here with the money that's been given to us by the
13 federal government to fix these problems and -- and we
14 need to do that. But the reason that I'm saying that
15 we need Ted to step in, in almost an emergency
16 situation, is that we had 4.7 billion gallons of
17 wastewater put into the -- in the last two years. 4.7
18 billion gallons in two years. City of Jackson has had
19 six public works directors in two years. The last one
20 stayed 10 days.

21 So we need to figure out who we're hiring,
22 or we need to figure out what the problems are, or why
23 these people are leaving. So I -- I -- I agree with
24 the people that are here today, this is -- this is
25 tough. But I don't think it's a racial issue for us,

**STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments**

1 to all of us, people who live and ponder. I have sewer
2 flowing in my yard. So I want to say that it's not a
3 racial issue for us to have clean water. We want to
4 have -- we want to have streets that are -- don't have
5 sewer flow on. We want to have -- be able to drive
6 down our streets without getting flat tires, and we
7 want to be safe. Those aren't racial issues. That's
8 issues that everybody wants. So I appreciate you-all,
9 and I appreciate you giving me the chance to speak.

10 UNIDENTIFIED SPEAKER: Thank you. Anybody
11 up top? I see someone coming down. Anybody up top?

12 MS. JACKSON: Good morning.

13 UNIDENTIFIED SPEAKER: Good morning.

14 MS. JACKSON: My name is LaChassity Jackson.
15 I'm a student at Tougaloo College, and I serve as the
16 91st Student Government Association Vice President. I
17 want to come up and note that many individuals have
18 talked about the standpoint of a homeowner, but I also
19 want to talk about it from a college standpoint. We
20 had the water issue. We had many students at the
21 surrounding colleges from Jackson State, for example,
22 who were displaced, and they didn't have water to even
23 bathe.

24 Water is a basic human necessity. We were
25 offering students water. We were offering them to come

1 over here and take care of themselves. But overall,
2 it's an economic issue because how can we expect
3 parents to send their students, their children, to a
4 school where they don't even have water? How are we
5 going to expect them to perform properly and become the
6 next citizens of America, to change the world and sit
7 in your seat, if they don't even have water?

8 So while we talk about the four-year plan
9 and we talk about things that have happened since 2013,
10 we need to imagine what we're doing for the future in
11 order to make this a safe place, not only for
12 homeowners, but for college students. So we have
13 people that want to stay here in Jackson and continue
14 to help with the issue long term, but also to make sure
15 they want to stay here to even finish their college
16 education because that's an economic standpoint of
17 Jackson, and we need those dollars. Thank you.

18 UNIDENTIFIED SPEAKER: Thank you.

19 MS. THOMAS: Hello, my name is Sheila
20 Thomas. I'm a longtime resident of Jackson. I live
21 off [REDACTED]. The Hanging Moss
22 Creek runs right beside my home. In all the years I've
23 been over there, I've been there since [REDACTED], I have not
24 seen anyone come over and ever clean the -- the -- the
25 drainage or the creek, the ditch beside my home.

**STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments**

1 And I am happy that Mr. Henifin took over
2 the water system. My water has improved tremendously.
3 But the sewage, we definitely need help with that. And
4 it is not a racial problem for me. It's not a
5 political problem for me, but it is for -- for -- for
6 every, you know, a lot of other people. I just want to
7 see it fixed.

8 We need to get together and work together
9 and hold our officials accountable. When we go to the
10 poll and vote, we need to stop voting for people
11 because of their color or because of their political
12 background. We need to vote for people that's going to
13 get the job done. And the city of Jackson need to stop
14 hiring their buddies and stuff and hire people
15 qualified to do the job.

16 That's the problem. We don't have people --
17 we have incompetent people in office. I watch the city
18 council meeting, and I can tell you, I can see that we
19 have incompetence. And that is the problem. And when
20 we go to the poll and vote, you need to vote for
21 qualified people going to get the job done because this
22 stuff affects our health. It affects our children. So
23 that's all I have to say.

24 UNIDENTIFIED SPEAKER: Good morning. I am a
25 Jackson homeowner, and I just have three quick

1 questions. I would like to know if Jackson could get a
2 completely new water system. I would like to see new
3 pipes under the ground, all over Jackson to replace all
4 the old pipes. I would also like to see that our --
5 our water bill is going up, and we are not getting the
6 quality water. I think last month, my water bill was
7 [REDACTED] This month is [REDACTED] So I would like to see a
8 good, clean water system. And I would like to see our
9 bills even out and us to get what we are paying for.
10 Thank you.

11 UNIDENTIFIED SPEAKER: Thank you. Anyone
12 else? Yes. Okay. She's bringing you the mic.

13 MS. SMITH: Good afternoon, evening. My
14 name is Gwen (phonetic) Smith, and I'm here or trying
15 to find a place. I relocated here from out of state.
16 And since I've been here, it's been a real hassle with
17 the water system, and being that I'm not used to it,
18 and what I've seen here. The system that we have for
19 all the communities of Jackson, people that have been
20 here 15, 20 years, they have been dealing with this
21 problem for years.

22 The money that's funded don't get directed
23 to the place that's it needed. A lot of time, people
24 don't have water in their homes for two or three weeks
25 at a time, essential for us to get up, bathes, send our

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 kids to school. Then you're paying a water bill for
2 services that you're not getting. You can't go to the
3 grocery store and walk out of the store without paying
4 for your service. They run you. But yet we've been
5 told to continue to pay our water bill when we don't
6 have any water. That's why it's stealing from the
7 consumers.

8 How do we continue to pay our bills,
9 continue to pay our taxes, when the only place our
10 money is going is to fix a broken system that we are
11 not being told what is really going on, where the
12 money's being spent, taxes being raised. The sewer
13 went up, the water went up, homeowners went up. In
14 less than three years, I have had my home, taxes, and
15 stuff raised up. All I'm asking for is when do the
16 people, just like Jackson, everyone from Flowood,
17 Brandon, everything branched off of Jackson before it
18 was built. Seems like everything that's happening now,
19 Jackson is taking a hit, and Jackson paying for
20 everything that other people benefit from.

21 So now, if we can send that money back and
22 help us to refurbish and put Jackson waterline up. And
23 then we bring in people from the outside. Then control
24 it once the money come into the system. Where were the
25 people at when we was buying for the water, having the

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 money put in installments. Now, all of a sudden the
2 money is here. They're moving the bad people out,
3 bringing the people in that they want to run the
4 system. And then half of the people not getting jobs
5 to work the system that help to support the system all
6 these years.

7 All I'm asking for is for the people in
8 Jackson to be given jobs to be able to work. We pay
9 the taxes here. Let us benefit. I'm just here, a -- a
10 new person. But what about the people that been here
11 for the last 10, 15, or 20 years? Where are their
12 money going to come back and benefit them from? When
13 are they going to get to see clean streets, clean
14 water?

15 We out there bathing with bottled water.
16 Our children going to school. They get up in the
17 morning. They can't even eat a meal because the water
18 got to be boiled. That's just not fair for the city of
19 Jackson to continue to suffer at the hands while
20 everybody branching off is benefiting. Before there
21 was any other town, there was a Jackson. Now we are
22 asking those towns to pour back into Jackson. That's
23 all.

24 UNIDENTIFIED SPEAKER: Thank you, Ms. Smith.

25 MS. SMITH: Thank you.

1 UNIDENTIFIED SPEAKER: Yes?

2 MR. TRAVIS: Good afternoon. My name is
3 Larry Travis and I'm a resident of Tougaloo community.
4 So I'm here -- I've been living in Tougaloo for at
5 least over ■ years. And I came here -- up here after
6 hearing so many people boiling with frustration. I
7 just want to say that we're pretty much sick and tired
8 of just being sick and tired because we're not getting
9 anything from Jackson. We're sick and tired of the
10 excuses and not solutions. And at this point, we just
11 want to move forward.

12 And in my opinion, as I -- as we talk about
13 the water, I don't see it as anything other than
14 residents of Jackson need improvements in every area.
15 There -- I get sick and tired of looking on the TV and
16 seeing so many problems with Jackson and having
17 relatives from out of Jackson calling, saying, I can't
18 believe this. And because they lived here before, and
19 now seeing all these things from potholes,
20 infrastructure. And I'm not going to go through the
21 list because everybody already know.

22 But I mainly came up here to say that if
23 anybody, Henifin or whoever, if they're able to bring
24 improvement to Jackson, me personally, I would like to
25 see that before I transpire. And right now I'm living

1 retirement life and just hearing about problems and
2 problems and problems in Jackson. I'm sick and tired
3 of it, and we want solutions. Thank you.

4 UNIDENTIFIED SPEAKER: Thank you. Anybody
5 else? All right. Come back over here.

6 UNIDENTIFIED SPEAKER: Good morning, again.
7 I wanted to kind of enlighten you about the children,
8 because I have a 10-year-old and a 4-year-old
9 granddaughter and their experience with us not having
10 water, from their perspective. We're living in -- on
11 [REDACTED], and we're trying to bathe and do what you
12 do in the morning and the evening before you bed.

13 And we're having to go to the Waffle House
14 to use the bathroom or the Walmart on Highway 18 to use
15 the bathroom. You're living in Fondren and we're
16 living off of Mitchell, near Gagg's. And we're having
17 to go to Battlewoods to use the bathroom, a restaurant.
18 They're only open during the hours before 10:00 p.m.
19 So you have to go outside of your home, with your kid
20 or children, to a place to use the facilities, a
21 bathroom, just to urinate or whatever you have to do
22 there.

23 It's a problem because you have kids --
24 we're in the bathroom and another couple comes in with
25 their daughter. And she says, Mommy, why are we --

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 we're all in the bathroom? And we're in the stalls and
2 the kids are like, why do we have to come to the
3 bathroom at the Battlewood Restaurant to use the
4 bathroom? These are kids. They are kindergartners.
5 They are first graders. They are second graders.
6 They're elementary. They are never going to forget
7 this experience. They will never forget this.

8 We are running water after playtime to take
9 a bath. And this is right on West Street and Fondren.
10 The pumps were on the streets, and we're running water
11 in the tub. She goes in there and she's like, Oh, I'm
12 not taking a bath in that water because it's not --
13 they know their colors by kindergarten: brown, black,
14 green, purple, red. She is like, that water is not --
15 I'm not taking a bath in that water. You have kids as
16 young as three and five years old. They know it's
17 something wrong with the water. They can turn it on
18 and smell it. If you don't smoke, if you don't drink,
19 if you don't do anything to distort your taste or your
20 smell, they can tell when it's turned on. They can
21 smell it. My daughter says, I'm not brushing my teeth.
22 She can smell the water.

23 And so even now, when I come home to work at
24 8 o'clock in the evening, I'm at work. So no one's at
25 home until I get in, and there's a Chlorine smell

1 throughout the house when you walk in the door as if
2 someone had just cleaned our home with bleach, but we
3 haven't even been there. The builders are so loud that
4 I have to lift the bathroom window up to let the odor
5 out and the bedroom window because my eyes are burning
6 from the chlorine that's in my home. But we don't use
7 bleach to do anything.

8 UNIDENTIFIED SPEAKER: Thank you.

9 MR. JONES: Thank you very much. My name is
10 James Jones, a lifetime resident of Tougaloo,
11 Mississippi. That was my home boy who was up here,
12 just a minute ago. I have a problem with Mr. Henifin
13 and the third-party administrator. But my concern is -
14 - see, because we do have a problem here in Jackson,
15 and that he's going be put in place to set itself to
16 deal with the problem. And let's deal with the
17 problem, stop kicking the can down the road.

18 But my concern is race, is race. That's
19 what my concern is. Because I'm also a chairman of
20 Building and Grounds Committee at Parkwood Church of
21 Christ, and we are in the middle of a [REDACTED]
22 renovation project. And prior to the third-party
23 administrator coming in, the city of Jackson -- through
24 the city of Jackson as for a service charge application
25 fee, tap fee and the meter charge. We're living at

1 about five grand, about [REDACTED].

2 But at the end of May, the third-party
3 administrator stepped in. This charge went to [REDACTED]
4 See, because the third-party administrator doesn't
5 exactly do the work. It was contracted out. And --
6 and through our bidding process, we find our contracts
7 don't want to work in -- don't want to work in Jackson
8 for some reason. So it leaves us open to vulnerable
9 contractors coming into Jackson, taking advantage of
10 Jackson. So there needs to be a checks and balance
11 system for the third-party administrator. He needs to
12 be checked in some way because it needs, as for its
13 predecessor concern, a contract for prejudices. We are
14 at their -- at their mercy.

15 MR. GODDARD: Lauren Goddard (phonetic). I
16 wanted to get in the record concerns about
17 Perfluoroalkyls, the PFAS Forever Chemicals. This is
18 an issue that's become very apparent to us now. And we
19 have very high rates of kidney failure, heart disease,
20 other things that are associated with the Forever
21 Chemicals PFAS in the water system. So it's not part
22 of the order now, but I want to get it in the record
23 that that is a concern that we need to be thinking
24 about as we move forward.

25 UNIDENTIFIED SPEAKER: Yes, ma'am. She's

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 going to mark it, too. Okay. Sorry. Go ahead, sir.

2 UNIDENTIFIED SPEAKER: I'm also a long-term
3 resident of Jackson, and I just wanted to point out
4 that the issue today is not the water, it's the sewer.
5 And it's apparent that since the consent decree was put
6 in effect for the water, there has been progress made.
7 It seems that as one of the earlier speakers said, we
8 don't want to bite off more than we can chew. We have
9 to address this -- this issue -- issue, too. And I
10 think given what we have is that it's been 10 years
11 since the initial decree was put out there, we are
12 making progress in -- in addressing the sewer -- the
13 sewer issue. And I think that's what we need to focus
14 on at the -- at the present time.

15 UNIDENTIFIED SPEAKER: Thank you. Thank
16 you.

17 UNIDENTIFIED SPEAKER: I think it's a
18 twofold issue. Because when the sewage overflows, it
19 goes into the water, it goes back into the sewage, and
20 it comes back into my home. So it's a twofold issue.
21 Please focus on both.

22 But I would also like to request that you-
23 all do some type of impact study in regards to the
24 cancer rates and, exactly what the gentleman just said,
25 we need some type of research that looks at cancer

**STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments**

1 rates and some of the things that have occurred as a
2 result of the toxic waste being in the water.

3 The lead rates are really high around here,
4 too. They just tested 168 samples around the state.
5 Jackson came in number eight. Okay. So that is just
6 something else I want to also put in -- in the decree
7 if possible.

8 UNIDENTIFIED SPEAKER: Thank you. Any other
9 comments? Yes, sir.

10 MR. MOORE: Anthony Moore. I'd like to
11 state affirmatively that this absolutely is a race
12 issue in the city of Jackson, a Black majority city,
13 ran by a majority Black government. It absolutely is a
14 race issue. Our government inherited the legacy of
15 Jackson. That Legacy didn't start in the '90s when
16 Mayor Harvey Johnson was elected. My neighborhood was
17 established in the '60s. At the time it was a middle
18 class, Black community.

19 Since the '80s, it has not been maintained
20 in any capacity. No ditch cleaning, no tributary
21 clearing. We have growth through all of our creeks
22 that obstruct sewer poles that run through our creeks
23 and they cause bursts. We have erosion as a result of
24 it. We have bypasses all over this city that is
25 pumping sewage right into our tributaries and our

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 creeks. We don't get to use that. They are stealing
2 our public resources to flow sewer -- sewage through
3 our city.

4 It's our right to have access to our natural
5 resources. If you can't go fish in a creek in your
6 neighborhood, that's your government's fault. That's
7 not something that you should give up willingly. You
8 have a right to live in a first-class country. You
9 don't have to live with sewage flowing in your front
10 yard, creating hookworms, a third world parasite.

11 That's what happens when you have a city
12 with no accountability. There hasn't been
13 accountability from MDEQ on the part of Jackson being
14 held accountable. There hasn't been accountability
15 from the EPA, regardless of their consent decrees.
16 Jackson has been allowed to create this mess throughout
17 our city. We have 90-year-old people using stools and
18 -- and buckets just to use the restroom, here in
19 Jackson. It's -- it's appalling. We have -- the city
20 has such a bad grasp on their operations of sewage that
21 they don't even have a comprehensive map of the sewer
22 lines. That means, they got to go search for your
23 sewer line if you have alerts. They don't even know
24 where it's coming or going. They haven't been
25 maintaining it.

**STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments**

1 So if we're going to give over control to a
2 third party, federal entity control by a federal
3 government or some other commission, we have to have,
4 for certain, clarity that these problems will not just
5 be thrown to the wayside when the consent or the order
6 has been made. Because we have lived with this for
7 decades. This is not something that started three
8 weeks ago, three months ago, or three years ago, when
9 it hit your table. We called for it several years.

10 I bought my home in 2020. When I bought my
11 home, along Hawkins Field Airport, the sewage creek was
12 filled with sewage. It was backing up into the
13 ditches. My house is the last house on my street, on a
14 dead end. So when the creek overflows, it comes back
15 into my neighborhood through our ditches, right in
16 front of our home where your kids are playing in your
17 front yard. When it backs up that bad, water cannot --
18 storm water can't get out and it's going to go into the
19 sewage. And now we have water coming back into our
20 house. It has over flooded our sewer, and we want real
21 accountability.

22 UNIDENTIFIED SPEAKER: Thank you. Any other
23 comments? Yes, sir, in the back. She'll bring you the
24 microphone.

25 SPEAKER 25: Good morning.

**STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments**

1 UNIDENTIFIED SPEAKER: Good morning.

2 My name is (indiscernible). The stipulated
3 order should contain a component of human development.
4 When all these things are done and the third-party
5 manager leaves town, we need to maintain our systems.
6 We need to participate in maintaining and operating our
7 systems. Through Hans Community College, Tougaloo
8 College, JSC, you should have students trained in
9 operating these systems. And that is what should be
10 part of the stability order. Thank you.

11 Thank you. Any other comments? Yes, sir.
12 You can -- you can -- oh, she has the microphone.

13 MR. LEESON: Let me just put a cap on what
14 my thoughts are. Again, let's get the current problem
15 fixed. Let's do what we can, Jackson. Let's help the
16 people that is trying to help us get the problem fixed.
17 Stop looking at his card. Let's look at -- let's look
18 at his ability to do it. I agree that this problem
19 didn't start yesterday. It didn't start 10 years ago.
20 This can has been kicked down the road for so long by
21 so many administrations until it's no longer a can.

22 We need to -- you have to have a stopping
23 and a starting point. So let's start now with the
24 problem of the sewage overflowing. Let's worry about
25 the long-term fix when we get this problem fixed. We

1 don't know that there's not going to be a plan to have
2 Jackson come in and take over. We don't know that.
3 But let's right now, stop the ugliness, the sewage, the
4 manholes from overflowing. Let's stop that now and
5 worry about the long-term fix later.

6 I do believe that if we get it fixed now,
7 some way, somewhere, somehow, the problem will be long
8 -- corrected in the long term. I just believe that.
9 And look, and I love this city. I love Jackson,
10 Mississippi. I came here in [REDACTED]. I've been here since
11 then, and I'm not leaving. I -- I bought in. I'm not
12 leaving. I don't care, come hell or high water, I'm
13 not leaving because I believe that -- that we are that
14 city. I really believe in Jackson you-all. So let's
15 get this problem fixed. Let's stop talking about this.
16 It is not a race problem. It is a sewer problem.

17 UNIDENTIFIED SPEAKER: Thank you, Mr.
18 Leeson. Any other comments? We understand that there
19 are comments and -- and opinions on all sides. That's
20 why we're here today. Okay. We want to be able to be
21 heard. Anyone else that has not been heard that would
22 like to be heard?

23 MS. SMITH: Yes, I do. Can I just say one
24 thing, and I don't even need a mic.

25 UNIDENTIFIED SPEAKER: Okay. Let me just

STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments

1 make sure that there's not anybody else that hadn't
2 said -- has not said anything that wants to speak.
3 Okay. Go ahead, Ms. Smith.

4 MS. SMITH: We all in Jackson, and we just
5 like to say, when we said it's a race problem, it's
6 nothing outside of us saying, personally, we put the
7 blame on anyone. But it is a racial problem. It's
8 been a racial problem. And there's nothing we can do
9 to change it until we start with changes from the
10 higher up. The money from up comes down. And if the
11 money don't come down, and the people that looking at
12 the situation don't put in the time to give it to us to
13 fix the problem. Just saying, we don't have a problem,
14 don't make it right.

15 You could be here 100 years, and if the
16 change don't come, you still dealing with the same
17 problem. It's not just about you being here since '72,
18 coming in '72 and seeing this, it means we want to see
19 results, but we are seeing that it's a problem because
20 the funds have not been allocated in the places they
21 need to be allocated. So just stop sugarcoating, call
22 it what it is.

23 UNIDENTIFIED SPEAKER: Any other comments?
24 Okay. Go ahead. Going once, going twice. Yes, ma'am.

25 MS. MCDUFFY: Good morning. I'm Monickey

1 (phonetic) Marie McDuffy, and I just wanted to give you
2 -- he was speaking about it not being a race issue,
3 it's a sewer and a waste issue. It is. It doesn't
4 matter where you live in Jackson because I've lived
5 everywhere in Jackson. I lived on the outskirts of
6 Clinton. I lived on [REDACTED] I lived in [REDACTED] I
7 lived on [REDACTED] I have lived on [REDACTED]
8 [REDACTED] I have lived over here in Tougaloo. It don't
9 matter where you live. There is a sewage problem. It
10 is all over the city. It does not matter where you
11 live because I lived -- I have family that lived from
12 Medgar Evers from the Medical Mall area out to McCluer
13 Road and to Byram. It's a problem.

14 It is a real problem because when they start
15 putting notices out, you're trying to rent or buy
16 homes, as a disclaimer, you can buy this home, but we
17 are not responsible for whether you have water at your
18 home or you have sewage issues at this home. That is
19 what it has come to. When you're trying to rent, and
20 this was right before this big explosion we just had
21 back in August. When school was getting ready to
22 start. We were getting ready to move into a new place,
23 but because there was a sewer issue and the water
24 crisis, the lady decided to take our house off the
25 table. This is real.

1 When you go on these sites for these homes,
2 they have a disclaimer there. You must find, it's on
3 there, even when you're viewing the home, when you go
4 on the website. So it is a real problem because
5 they're not going to be responsible, whether you rent
6 this house and you have water or no water, or you have
7 no access to waste, even though you are paying it on a
8 water bill. I get billed for Jackson's water. My bill
9 from Jackson is higher than the bill I get from
10 Ridgeland. I'm in Ridgeland now, but I get a bill from
11 Jackson as well. And just like she mentioned, her bill
12 is [REDACTED] So is mine. If I don't pay it by tomorrow,
13 it's going to be off.

14 So they said they had this thing called
15 Thomas Pay and all these other entities that would help
16 people with their water bill. Well, I haven't gained
17 any access to that. And then before I was able to have
18 water, I was living in this community right here in
19 Tougaloo for several months during COVID, with no
20 water, which forced us into the -- the Hilton Hotel and
21 the Homewood Hotel for several months. For six months.
22 We had no water. No one has come and said, we'll help
23 with that cost.

24 UNIDENTIFIED SPEAKER: Any final questions
25 or comment? Not questions, but comments? Okay.

1 So thank you-all for your participation
2 today. We appreciate your thoughtful comments, your
3 insight, your experiences. We want to also thank our
4 federal and our state speakers for participating and
5 sharing their agency's perspectives.

6 If you should think of things that you want
7 to say after today, you still have the opportunity to
8 go onto the website and give your comments, either by
9 mail or by email. Scattered around the room are these
10 QR codes that you can scan with your phone that will
11 take you directly to the federal register that will
12 then tell you where to mail and email your comments.
13 The address is here, and I think you also have it on
14 your fact sheets. The stipulated order is also at that
15 link that's in the QR code.

16 If you would, please take the picture of the
17 QR code, share it with others. We're going to thank
18 you and send you an email for coming today. That's
19 going to also include the QR code in the email. As I
20 mentioned, you have hard copies of the fact sheet, you
21 have the appendices. Those are all available while
22 quantities last.

23 I want to thank our [REDACTED]
24 [REDACTED]
25 and [REDACTED] They have done a wonderful job

1 for us today. And a Spanish interpreter who's ready to
2 work. So if you have friends that you know speak
3 Spanish and wants to come. There's one other
4 opportunity this evening. She is [REDACTED]
5 (phonetic). She's here, and she's willing to interpret
6 all of the Spanish comments for our Spanish-speaking
7 friends.

8 If you would, do one favor. There's one
9 last meeting tonight at 6 o'clock, right back here in
10 this room. Tell somebody that you know that's affected
11 by the water, some of the sewer system, someone that
12 has an opinion about the stipulated order, and invite
13 them to come back this evening at 6 o'clock. We look
14 forward to providing additional information when we
15 can, when there's further information about enforcement
16 progress that can be shared publicly. We continue to
17 want to have future conversations with you about this
18 and other issues, as we all work together again for our
19 beloved city of Jackson. Safe travels and thank you so
20 much.

21 One last thing, if there are any people that
22 came in down this -- through this door, we would love
23 to have your contact information. And so if we can get
24 the contact sheets brought back down here for those
25 people, we would love to have you sign in for us.

1 [REDACTED] will go grab those contact sheets that you came
2 in through this door and give her your contact
3 information, we would appreciate it. Thank you so much
4 for attending today.

5 (End of audio recording.)

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**STIPULATED ORDER FOR THE CITY OF JACKSON, MS: SEWER SYSTEM
Public Comments**

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9 I, Doug Yarborough, a transcriber, hereby declare
10 under penalty of perjury that to the best of my ability
11 the above 41 pages contain a full, true and correct
12 transcription of the tape-recording that I received
13 regarding the event listed on the caption on page 1.

14

15 I further declare that I have no interest in the
16 event of the action.

17

18 August 25th, 2023

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Doug Yarborough

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